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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, QUYNH H

ART UNIT PAPER NUMBER

2614

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,025

Applicant(s)

SHIRES, GLEN E.

Examiner

Quynh H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE filed 5/22/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4, and 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

2. Claims 1, 4, and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vortman et al. (U.S. Patent 6,771,760) in view of Kilander et al. (U.S. Patent 5,742,675).

Regarding claim 1, Vortman et al. teach the steps of:

connecting a telephony server (Fig. 1, callback server 32) between a user station (Fig. 1, 22) and a call center (Fig. 1, 20) not having call back capabilities (col. 2, lines 29-30 - *where Vortman discussed the present invention to provide improved call back capabilities for call centers meaning improving call back capabilities from no call back capabilities, limited call back capabilities, or manual call back capabilities to automated call back capabilities, hence regardless whether call centers with limited call back or no call back capabilities, the call back is handle via the call back server (col. 2, lines 49-50))* via a telephone switching network (callback server 32 handles callback request from customers), the call center in communication with at least one agent station (Fig. 1, agent terminal 38);

connecting a browser server to the telephony server and the user station and the agent station (col. 6, line 62 through col. 7, line 41);

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the telephony server receiving a request from the user station via the browser server for a callback from an agent (col. 6, lines 32-43);

the telephony server calling the call center (col. 7, lines 61-66);

the telephony server calling back the user station and bridging a callback between the agent and the user (col. 8, lines 9-12).

However, Vortman et al. do not teach the availability of the agent being determined by detecting a DTMF ID entered when an available agent answers the phone.

Kilander et al. teach a method and apparatus for automatically distributing calls to available logged in call handling agents. A call handling agent logs on to his/her computer at his/her workstation. The call center server (CCS 20) processes the log-on transaction, acknowledges a valid log-on to the agent workstation. When the agent is ready to take a new call, the agent signals his/her availability to the CCS 20 by entering a command on the agent's computer and sending it over data link 26 to the CCS 20 (Fig. 2, 62, 64 and Fig. 3, 104, 106 and col. 6, lines 12-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of detecting when an agent is available to answer the phone call to determine the availability of the agent, as taught by Kilander, in Vortman's system thus making the system more efficient and user friendly by detecting the availability of an agent and authenticate the agent before connecting the customer to the agent so that customers do not waste their time waiting for an available agent.

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Regarding claims 4 and 23, Vortman et al. teach the request for call back comprises a telephone number to be user for the call back (col. 6, lines 46-50) and a problem (col. 6, line 55); and matching the available agent to the problem (col. 7, lines 17-19).

Claim 21 is rejected for the same reasons as discussed above with respect to claim 1.

Regarding claim 22, Vortman et al. teach the World Wide Web servers are used to allow customers to access information from an organization. However, Vortman et al. does not explicitly teach the user information comprises an account number. It would have been obvious that if a user has an account then it would have been helpful for accounting purposes to also include an account number besides a call back number. The advantage of having an account number as user information is also well known. For example, a call back number may be used as account number to identify different users.

Response to Arguments

3. Applicant's arguments filed 2/27/06 and RCE filed 5/22/06 have been fully considered but they are not persuasive. Applicant's arguments are addressed in the above claims rejections and the previous Advisory action.

Conclusion

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4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Freeman et al. (U.S. Patent 5,428,608) teaches call connection technique.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:15 A.M. to 5:45 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan, can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quynh H. Nguyen

Quynh H. Nguyen

August 21, 2006